

FILED *Def*
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.
★ MAY 12 2009 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

----- X
IN RE:
HOLOCAUST VICTIM ASSETS
LITIGATION

Case No. CV 96-4849 (ERK)(MDG)
(Consolidated with CV 96-5161
and CV 97-461)

----- X
MEMORANDUM & ORDER

This Document Relates to: All Cases
----- X

KORMAN, Judge:

In accordance with my Order of December 8, 2000 and consistent with the terms of the Plan of Allocation and Distribution of the Settlement Fund (the "Distribution Plan"), which I approved on November 22, 2000, my Memorandum & Order dated September 25, 2002, my Memorandum and Order dated November 17, 2003, and my Memorandum & Order dated July 20, 2004, the Conference on Jewish Material Claims Against Germany, Inc. ("Claims Conference") is prepared to begin funding the ninth and tenth years and the six-month period ended June 30, 2011 of social welfare programs for direct assistance for Jewish Nazi victims.

I am in receipt of the April 2009 Claims Conference report on the Holocaust survivor emergency assistance program for 2007 and proposal for the ninth and tenth years and for the first-half of the eleventh year of social welfare programs for Jewish Nazi victims for calendar years 2009 and 2010 and the six-month period ended June 30, 2011 ("Proposal"). This Proposal details assistance to Nazi victims in Argentina, Australia, Austria, Belgium, Bosnia-Herzegovina, Brazil, Bulgaria, Canada, Croatia, the Czech Republic, France, Germany, Greece,

Germany, Greece, Hungary, Israel, Italy, Mexico, the Netherlands, Poland, Romania, Serbia and Montenegro, Slovakia, Sweden, the United Kingdom, the United States and Uruguay.

The required funding to implement the social welfare programs in the twenty-six above-mentioned nations is \$4,561,539 for 2009, \$4,561,539 for 2010 and \$2,280,769 for the six-month period ended June 30, 2011. In accordance with the Distribution Plan, the Claims Conference is to be reimbursed for the oversight and management of these funds in the amount of 2% of program fees, which for the two and one half year period of period of January 1, 2009 through June 30, 2011 totals \$228,077.

Accordingly, it is hereby

ORDERED that the Proposal is approved and signatories to the Settlement Fund are hereby directed to transfer immediately \$2,372,001 to the Claims Conference for the first half of funding of the emergency assistance programs for Jewish Nazi victims for calendar year 2009, amounting to \$2,280,770, and \$91,231 for the administrative expenses for 2009. Additional funding of \$2,280,770 for the remaining program funds for 2009 shall be disbursed to the Claims Conference on August 1, 2009. Further, on January 2, 2010 a total of \$2,372,001, consisting of \$2,280,770 for the first half of funding of the emergency assistance programs for Jewish Nazi victims for calendar year 2010, and \$91,231 for the administrative expenses for 2010 shall be transferred to the Claims Conference. On August 1, 2010, additional funding for the remaining program funds for 2010 in the amount of \$2,280,770 shall be transferred to the Claims Conference. Further, on January 2, 2011, a total a total of \$2,326,385, consisting of \$2,280,770 for the emergency assistance programs for Jewish Nazi victims for the six-month period ended June 30, 2011 and \$45,615 for the administrative expenses for the six-month period ended June 30, 2011 shall be transferred to the Claims Conference. Pending the distribution of these

program funds to the designated survivor assistance programs and organizations, the Claims Conference shall deposit the program funds in a designated interest-bearing account. The principal as well as any interest that may accrue thereon shall be solely for the benefit of the Settlement Fund. Upon application, any such accrued interest shall be distributed by the Claims Conference to the survivor assistance programs described above or to such other survivor assistance programs as the Claims Conference may recommend and the Court may approve.

Brooklyn, New York
April 9, 2009

SO ORDERED:

s/Edward R. Korman

Edward R. Korman
United States District Judge